

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No.	CV 12-6360 JC	Date	January 18, 2013
Title	John A. Marshall v. Michael J. Astrue		

Present: The Honorable Jacqueline Chooljian, United States Magistrate Judge

Hana Rashad	None	None
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiff: Attorneys Present for Defendant:

none present	none present
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Proceedings: **(IN CHAMBERS) ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION**

On July 30, 2012, this Court issued a Case Management Order which directed plaintiff, who is proceeding with the assistance of counsel, to file a motion for summary judgment or remand within thirty (30) days of service of defendant's Answer. On October 15, 2012, defendant filed and electronically served defendant's Answer.

On November 27, 2012, this Court approved the parties' stipulation and extended plaintiff's deadline to file a motion for summary judgment or remand to **Monday, December 17, 2012**.

Although plaintiff's extended deadline to file a motion for summary judgement or remand expired more than a month ago, to date, plaintiff has failed to file a motion for summary judgment or remand as ordered. Nor has plaintiff filed another request for an extension of time to file such motion.

The Court, on its own motion, hereby orders plaintiff to show cause in writing no later than **January 25, 2013**, why this action should not be dismissed for lack of prosecution and/or based upon plaintiff's failure to comply with the November 27, 2012 Order. If the plaintiff wishes to proceed with this action, he must also file by no later than **January 25, 2013**, a motion for summary judgment or remand.

Plaintiff is cautioned that failure to comply with this order and to file the above-referenced documents by January 25, 2013, will result in the dismissal of this action based on plaintiff's failure to comply with the court's order and/or failure to prosecute this action.

IT IS SO ORDERED.

Initials of
Deputy Clerk hr
